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*Attorneys for Plaintiffs*

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

WASHINGTON TOXICS COALITION; ) Civ. No. C04-1998C  
NORTHWEST COALITION FOR )  
ALTERNATIVES TO PESTICIDES; )  
NATIONAL WILDLIFE FEDERATION; )  
DEFENDERS OF WILDLIFE; NATURAL ) DECLARATION OF DAHINDA MEDA  
RESOURCES DEFENSE COUNCIL; )  
CENTER FOR BIOLOGICAL DIVERSITY; )  
PACIFIC COAST FEDERATION OF )  
FISHERMEN'S ASSOCIATIONS; )  
INSTITUTE FOR FISHERIES RESOURCES; )  
and HELPING OUR PENINSULA'S )  
ENVIRONMENT, )

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF )  
INTERIOR; UNITED STATES )  
DEPARTMENT OF FISH AND WILDLIFE )  
SERVICE; UNITED STATES )  
DEPARTMENT OF COMMERCE; and )  
NATIONAL MARINE FISHERIES )  
SERVICE, )

Defendants,

1 )  
 2 and )  
 3 )  
 4 CROPLIFE AMERICA, WASHINGTON )  
 5 FRIENDS OF FARMS AND FORESTS, )  
 6 WASHINGTON STATE POTATO )  
 7 COMMISSION, NATIONAL POTATO )  
 8 COUNCIL, WASHINGTON STATE FARM )  
 9 BUREAU, IDAHO FARM BUREAU )  
 10 FEDERATION OF WHEAT GROWERS, )  
 11 WASHINGTON GOLF COURSE )  
 12 SUPERINTENDENTS ASSOCIATION, HOP )  
 13 GROWERS OF WASHINGTON, AND )  
 14 WASHINGTON STATE HORTICULTURAL )  
 15 ASSOCIATION, )  
 16 )  
 17 Defendant-Intervenors. )  
 18 )  
 19 )  
 20 )  
 21 )  
 22 )  
 23 )  
 24 )  
 25 )  
 26 )

I, DAHINDA MEDA, hereby state and declare as follows:

1. I reside in Eugene, Oregon. I have lived in Oregon since 1987, and prior to that I lived in Northern California, in Mendocino County, from 1975 to 1987.

2. I have been associated with Northwest Coalition for Alternatives to Pesticides ("NCAP") since 1977, the year the organization was founded. I served on the NCAP Board of Directors from 1987 through 2003. I am actively engaged in numerous efforts to promote alternatives to pesticides and to assist in the recovery of wild salmon and steelhead populations in California and Oregon, as described below.

3. Plaintiff NCAP is a non-profit organization that engages in public education and advocacy to promote alternatives to toxic pesticides and to protect the environment from the harmful effect of such pesticides. NCAP is incorporated in Oregon and has its principal place of business in Oregon. It works to ensure that uses of pesticides authorized by EPA will not harm threatened and endangered salmon and steelhead. NCAP has conducted and compiled research

1 on the effects of pesticides on salmonids. NCAP has over 1,800 members, many of whom live in  
2 Oregon, California, and Washington.

3 4. NCAP is directly impacted by the failure of defendants NOAA Fisheries and the  
4 Fish and Wildlife Service ("FWS") to comply with the Endangered Species Act ("ESA") and  
5 National Environmental Policy Act ("NEPA") in delegating its mandatory ESA duties to ensure  
6 that federal actions do not take listed species or destroy or adversely modify their habitat. Water  
7 quality degradation, caused in part by the introduction of pesticides and their residues into fish  
8 habitat, is a contributing cause of the decline of salmon and steelhead species throughout the  
9 Pacific region. NOAA Fisheries and FWS's unlawful delegation of its mandatory ESA duties to  
10 the EPA will result in continued habitat and water quality degradation that will continue to harm  
11 ESA-listed fish and prevent their recovery, and could result in further ESA listings of currently  
12 unlisted evolutionarily significant units ("ESUs").

13 5. In April 2004, NCAP commented on the Proposed Counterpart Rule issued by  
14 NOAA Fisheries and FWS by signing onto comment letters, all dated April 16, 2004, submitted  
15 by the Washington Toxics Coalition, Defenders of Wildlife, and Earthjustice. These letters  
16 similarly opposed the Proposed Counterpart Rule, whose final version is the subject of this  
17 litigation, based on its violations of the Endangered Species Act, and failure to adequately  
18 protect listed species from the harm caused by pesticides.

19 6. The disappearance of salmon and steelhead species in Oregon and elsewhere  
20 causes me harm, because I care very much about healthy fish populations and properly  
21 functioning ecosystems, and have worked most of my life to protect these values. I derive  
22 substantial enjoyment and fulfillment from observing salmon and steelhead in Oregon and  
23 California, and from taking actions to recover and restore local populations. Opportunities to  
24

1 observe and enjoy these species have become increasingly difficult in my lifetime due to their  
2 decline. Actions to recover and restore the species are hampered by actions by federal agencies  
3 that cause further harm to them.

4 7. I own approximately 360 acres of land in the Feliz Creek watershed, a tributary of  
5 California's Russian River. I lived on this land for 12 years, and now visit this land on a  
6 monthly or bimonthly schedule. In 1981, I obtained a state grant to conduct stream habitat  
7 improvement on my land that would restore properly functioning conditions for steelhead. For  
8 several years, my colleagues and I spent substantial time stabilizing streambanks, building pools,  
9 encouraging fish migration, and planting trees along streambanks to improve river conditions for  
10 the fish. I undertook these activities not for profit or personal gain, but because I personally  
11 value healthy fish populations and wish to contribute to the recovery of steelhead in this area.  
12 Many of our activities were successful and served as a model for similar activities nearby.

13 8. Later on, as a stream restoration contractor for the California Department of Fish  
14 and Game, I was involved in a number of projects to improve fish habitat on streams, creeks, and  
15 rivers occupied by several species of California salmon and steelhead. These include the Garcia  
16 River, Salmon Creek, South Fork of the Eel River, Redwood Creek, as well as many others,  
17 approximately 20 different river and creeks in total.

18 9. Although I am no longer a restoration contractor, I am still actively involved in  
19 these projects. For example, I visit some of my old stream restoration projects to see how they  
20 are doing. I have also consulted on stream restoration activities elsewhere, and I plan to continue  
21 these activities this year and in the future.

22 10. In addition to decades of work to restore and recover salmon and steelhead  
23 populations, I have also been a longstanding activist on pesticide issues, advocating for greater  
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1 environmental protection. For example, since 1971, I was a sponsor of a lawsuit, brought by  
2 Environmental Defense Fund against EPA, which ultimately resulted in the ban on DDT. This  
3 lawsuit documented the effect of a specific pesticide, DDT, causing the rapid decline in  
4 population of a fish species (sardines). In short, the impacts of pesticides to salmon and  
5 steelhead species is a matter of special concern for me, and has occupied a substantial amount of  
6 my time for several decades.

7 11. I greatly enjoy activities in properly-functioning salmon habitat, such as hiking  
8 and rafting. I regularly hike in wilderness areas where salmon and steelhead can be found.  
9 Moreover, I own a river raft and canoe, and regularly use them in rivers and streams where  
10 salmon and steelhead can be (or once could be) found. On many of these river trips, I observe  
11 salmon and steelhead. This has happened in the McKenzie River, and the North Fork of the  
12 Umpqua River in Oregon, and the Eel, Garcia, and Russian Rivers in California, as well as  
13 others. I would estimate that I spend (and have spent) about 15 to 20% of my life in remote  
14 areas where these wild fish can be found at least part of the year.

15 12. I intend to continue these activities as long as I am able, and as long as salmon  
16 and steelhead are still available for observation and enjoyment.

17 13. Defendants' actions, which authorize EPA to self-consult on pesticides without  
18 the checks and balances provided by the Services that the EPA requires, and without an  
19 application of the best available science, hurts salmon and steelhead, and harms me because it  
20 results in further declines to these species and undermines my efforts to recover these species.  
21 As the species become even further imperiled, my ability to observe and protect them will be in  
22 jeopardy. Similarly, the organizational interests of NCAP in promoting alternatives to pesticides  
23 that do not harm salmon and steelhead will be injured. Conversely, it is likely that compliance  
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1 with the ESA's consultation provisions by NOAA Fisheries and FWS will result in reduced  
2 pesticide delivery into salmon and steelhead habitat. As a result, the likelihood of recovery  
3 and/or improvement of these species will increase.

4 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true  
5 and correct to the best of my knowledge.

6 Executed this 17th day of May, 2005, in San Antonio, Texas.

7  
8   
9 DAHINDA MEDA